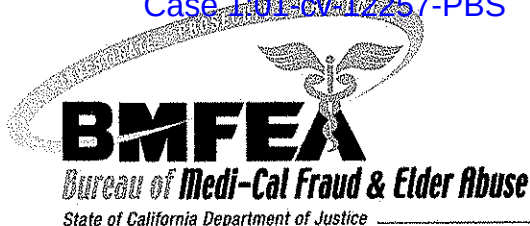


EXHIBIT C



Office of Attorney General
Edmund G. Brown

Bureau of
Medi-Cal Fraud
and Elder Abuse

June 9, 2009

1455 Frazee Rd.
Suite 315
San Diego, CA.
92108-4304

Telephone: (619) 688-6099
Facsimile: (619) 688-4200
Email: nicholas.paul@doj.ca.gov

Via E-Mail and Federal Express

Brendan Cyr
Kelley Drye & Warren LLP
101 Park Avenue
New York, New York 10178

RE: *State of California, ex rel. Ven-A-Care v. Abbott Laboratories, Inc., et al.*
Case No. 03-cv-11226-PBS (MDL 1456)

Dear Brendan:

I am in receipt of your email of June 9, 2009 (attached), asking California to schedule the deposition of Tom Ahrens in the captioned matter.

As you are aware, discovery cutoff is June 15, 2009, as established by the court in its order of March 3, 2009, modifying the dates set in Case Management Order (CMO) 31. Mr. Ahrens is no longer employed by DHCS, but is actively employed in another branch of State government. None of us can possibly expect him to identify a day out from his job, get prepared, and sit for deposition by next Monday (June 15), i.e., on four days' notice. It is not possible, in other words, for defendants to appropriately notice and complete a deposition of Mr. Ahrens during the period set by the court in which to complete discovery.

Accordingly, it is our position that defendants cannot issue the requisite subpoena for Mr. Ahrens' deposition without first successfully moving the court to extend the fact discovery cut-off date, a motion which we would likely oppose. It is improper for us to agree to produce a deponent in order to continue party discovery in violation of the cut-off date set by CMO 31.

Brendan Cyr
June 9, 2009
Page 2

Please do not hesitate to call me if you would like to discuss this issue further.

Sincerely,



Nicholas N. Paul
Supervising Deputy Attorney General
Bureau of Medi-Cal Fraud and Elder Abuse

For EDMUND G. BROWN JR.
Attorney General

NNP/lrc

cc: Raj Gandesha, White & Case
Heather McDevitt, White & Case
Lara Berwanger, White & Case
Philip Robben, Kelley Drye & Warren
James Breen, The Breen Law Firm

Enclosure

From: "Cyr, Brendan" <BCyr@KelleyDrye.com>
To: Nicholas Paul <Nicholas.Paul@doj.ca.gov>
Date: 6/9/2009 7:40 AM
Subject: Final deposition
CC: "Gandesha, Raj" <rgandesha@ny.whitecase.com>, "McDevitt, Heather" <hmcdevitt@ny.whitecase.com>, "Robben, Philip" <PRobben@KelleyDrye.com>, "Berwanger, Lara" <lberwanger@ny.whitecase.com>

Nick

The remaining defendants would like to use the last of our ten depositions on Tom Ahrens. Please provide us with available dates for him. We understand that it might be difficult to get his deposition done within the June 15 deadline, so we would be willing to take his deposition at a later date, if that's agreeable to you.

Thanks

Brendan

Pursuant to Treasury Regulations, any U.S. federal tax advice contained in this communication, unless otherwise stated, is not intended and cannot be used for the purpose of avoiding tax-related penalties.

The information contained in this E-mail message is privileged, confidential, and may be protected from disclosure; please be aware that any other use, printing, copying, disclosure or dissemination of this communication may be subject to legal restriction or sanction. If you think that you have received this E-mail message in error, please reply to the sender.

This E-mail message and any attachments have been scanned for viruses and are believed to be free of any virus or other defect that might affect any computer system into which it is received and opened. However, it is the responsibility of the recipient to ensure that it is virus free and no responsibility is accepted by Kelley Drye & Warren LLP for any loss or damage arising in any way from its use.